

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

PAUL JONES

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Crim. No. RDB 15-457

JOINT MOTION TO VACATE CONVICTION AND SENTENCE

Defendant Paul Jones and the United States of America, by counsel, hereby jointly request, pursuant to 28 U.S.C. § 2255, that the Court vacate the conviction and sentence imposed upon the Defendant in criminal case number RDB 15-457. In support of this Motion, the parties state as follows:

1. On May 28, 2015, officers of the Baltimore Police Department executed a state search and seizure warrant at the Defendant's home in Baltimore City. Upon searching the Defendant's home, the officers recovered narcotics and firearms which the defendant subsequently admitted to possessing. On August 20, 2015, the Defendant was charged by indictment with possession of a firearm by prohibited person, in violation of 18 U.S.C. § 922(g) (Count One) and possession with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 841 (Count Two). The Defendant pleaded guilty to Count Two and was subsequently sentenced to 72 months imprisonment. The Defendant has not previously appealed his conviction nor challenged that conviction pursuant to 28 U.S.C. § 2255.

2. The Government has recently learned that false information may have been knowingly included in the state search warrant affidavit. This information was material to the probable cause that supported the issuance of the warrant. Neither the Defendant, nor the Government, were aware of this fact at the time of the Defendant's guilty plea. As a result, the

4. For the reasons stated above the parties are in agreement that the circumstances of this case warrant relief under section 2255 and have prepared this joint motion to request that the Court vacate the Defendant's conviction and sentence. The parties agree that this joint resolution will resolve any claims relating to the vacatur of the Defendant's conviction and sentence.

Therefore, for the foregoing reasons, the United States and the Defendant respectfully request that the Court grant the relief with respect to this motion, as set forth above.

/s/

Lisa Lunt, Esq.
Assistant Federal Public Defender

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ORDER

Upon consideration of the Joint Motion to Vacate Conviction and Sentence filed by the parties in the above-captioned matter, in which the parties request that the Court vacate the conviction and sentence imposed upon Paul Jones (hereinafter the “Defendant”), the Court hereby ORDERS as follows:

1. The conviction of Paul Jones in criminal case number RDB 15-457 is hereby VACATED;
2. The sentence imposed upon Paul Jones in criminal case number RDB 15-457 is hereby VACATED.

Date

Hon. Richard D. Bennett
United States District Judge